

Following the adoption of the new Constitution, Governor Driscoll put in motion his plans for departmental reorganization as one of the major features of the task of implementing the Charter. In his annual message to the New Jersey Assembly, January 13, 1948, the Governor made the following reference to reorganization:¹ "All executive and administrative officers, departments and instrumentalities of the State Government - - - and their respective functions, powers and duties, shall be allocated by law among and within not more than twenty principal departments - - - . No mere proforma reshuffling or regrouping of State agencies will satisfy this constitutional command."

On February 2, 1948, Governor Driscoll presented his Budget message to the Legislature with the specific recommendation that the appropriation previously given to the New Jersey Commission on the Condition of the Urban Colored Population, be eliminated, and that the functions, records and equipment of this Commission be transferred to the Division Against Discrimination. He further recommended² that \$10,000.00 of the Commission's appropriated \$30,000 be transferred to the budget of the Division Against Discrimination for the carrying of the added responsibilities. "It is recommended that legislation be enacted consolidating the work of this Commission with that of The Division Against Discrimination of the State Department of Education and an appropriation of \$10,000 has been recommended for the DAD to carry out this work." On May 5, 1948, the Legislature passed the annual appropriation bill,³ adopting the Governor's proposal to eliminate the budget of the Urban Commission but added only \$5,000 to the budget of DAD, instead of the amount proposed by the Governor with this explanation: "To carry out the functions now being performed by the Commission on Urban Colored Population."⁴ This sum to be used as provided in the footnote explanation of the budgetary changes.⁵

On March 22, 1948, Senator Armstrong of the State Government Reorganization Commission introduced a Bill designated as S-19, as one of many measures which would be required to implement the Charter's provision for departmental reorganization. This Bill, among other things, purported to fix the appointing authority and term of office of the Commissioner of Education, and to provide for the termination of the Commission on the Condition of the Urban Colored Population, and to transfer its remaining functions and effects to the Division Against Discrimination, as recommended in the Governor's Budget Message. This also provided that personnel of the Urban Commission maintain their rights under the Civil Service laws.

It is important to recognize at this stage, that neither of the proposals and/or actions reported above, was conceived or proposed by the staff or Council of the Division Against Discrimination.

Meantime, following formal action by the State Council Against Discrimination⁶ on February 4, 1948, authorizing the legislation which earlier had been recommended by Governor Driscoll, a Bill designated as A-431 was introduced by Assemblyman Lackey of Union County, amending the Anti-Discrimination Law (Chapter 169, P.L. 1945). This amendment, considered as a routine administrative bill read as follows:

- 1 See Legislative Index Vol XXXV, No. 2, Sat. Jan. 17, 1948
- 2 See Budget Message for fiscal year ending June 30, 1949, P177
- 3 Legislative Index Vol XXXV, No. 16, Sat. May 15, 1948, P396
- 4 See Page 62 - Annual Appropriation Bill
- 5 Budget Message for fiscal year ending June 30, 1949--P273
- 6 Official minutes, State Council Against Discrimination, September 17, 1947 and February 4, 1948

Sec. 8-d Amendment " - - provided that any person who has been employed for a period of three years may be removed by the Commissioner for cause after a hearing and may appeal within thirty days after the Commissioner's decision and in the manner prescribed by the Council."

Although this was the first Legislative measure claiming the interest and attention of DAD, it was found on first introduction on May 5th, that Assemblyman Curtis and Urban Commission staff members had created considerable opposition to the measure within the Assembly and among certain elements of the Negro population in the State. On May 12th, as a result of re-interpretation by DAD officials, the Assembly passed the Bill over the determined opposition of Assemblyman Curtis by a vote of 33 to 11. Ten of the 12-member Essex Delegation voted against their colleague Mr. Curtis. Similar opposition developed in the Senate Republican caucus, with Senator Farley of Atlantic County blocking action which prevented the Bill from reaching the Senate floor. Here it rests pending any possible action in the reconvened session in August.

A proposal to implement the Civil Rights provisions of the Charter is represented in Assembly Bill 512, which would amend the fair employment law (Chapter 169, P.L. 1945, under Title 18) by combining with this statute the substantive provisions of Title 10, the existing Civil Rights Law.

The record discloses that the New Jersey Regional office of the American Jewish Congress, took the initiative of calling together twenty-five lawyers, representing a geographic and cultural cross section of New Jersey's population. From the first meeting of the group in Trenton, in October 1947, this group and its sub-committees have labored diligently in numerous sessions. On February 11, 1948, the results of their labors were presented to a group of North Jersey laymen, out of which has grown the Joint Council on Civil Rights.

The significance of this recitation of events, is that A-431, the DAD Bill and A-512, the streamlined Civil Rights Act, have received the almost hysterical opposition of Assemblyman Curtis, the members of the Urban Commission personnel, and the New Jersey Herald News, Negro weekly whose business manager and circulation manager are, ostensibly, full-time staff members of the Urban Commission. It is represented to various key-people in the Negro communities, that this opposition stems from the Urban Commission's efforts to protect itself from the power-grab of scheming DAD officials who master-minded the Reorganization program for the purpose of eliminating the Urban Commission.

It has been learned that Assemblyman Curtis put in the legislative hopper two bills on May 14th. These bills will be printed for formal introduction when the Legislature reconvenes in August. The first proposes to set up a part-time salaried commission of three people at a salary of \$500 a year, each who would have authority to hear and handle employment complaints. Otherwise the proposed bill is almost identically word for word like the present Anti-Discrimination Law. The second bill proposes to abolish the present Division Against Discrimination. It should be noticed here that the administrative set-up proposed violates one of the basic ideas adopted in the new Constitution.

With the exception of individual Negro political leaders in certain sections of the State, the only apparent organized support being given Assemblyman Curtis and Urban Commission personnel in their opposition to A 512 and A 431, is found in the Newark Branch of the N.A.A.C.P. Persons reported to be those influencing this position are Harry Hazelwood, President; Mrs. Grace Fenderson,

Board member; and Bertram Bland, legal Counsel. This Branch was the lone dissenting voice when the State Council representing 33 N.A.A.C.P. Branches in New Jersey, officially endorsed A 512 in its annual meeting in Trenton on May 29, 1948.

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